

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
) **8:08CR120**
vs.)
)
RONNIE F. SOERGEL,)
)
Defendant.)
)

This matter is before the court on the defendant's second motion to continue trial [22]. In the interest of justice, the court will grant a final continuance to July 8, 2008.

IT IS ORDERED that defendant's motion [22] is granted, in part, as follows:

1. The trial of this matter is continued to **July 8, 2008**. At that time, the parties will be expected to be prepared either to try the case or to enter a change of plea on the record.

2. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **June 10, 2008 and July 8, 2008**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

DATED June 20, 2008.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge